

September 13, 2016

A regular meeting of the Council of the Town of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., September 13, 2016.

Members present: Mayor Robert T. Wandrei; Councilman Tim Black; Councilman Stacey L. Hailey; Vice Mayor Steve C. Rush; Councilman Beckham A. Stanley; and Councilman James A. Vest

Members absent: Councilman Robert D. Carson;

Staff present: Town Manager Charles P. Kolakowski; Town Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Wandrei opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Wandrei declared that the minutes of a regular Council meeting held on August 23, 2016, were approved as corrected.

Town Manager Kolakowski reported on the following:

- Reminded Council that the reopening of the Bedford Hospice House was scheduled for September 14. The Hospice House will be operated by Centra.

Mayor Wandrei read aloud the following resolution in honor of E. Thomas Messier:

**RESOLUTION OF HONOR TO MEMORIALIZE  
THE CONTRIBUTIONS TO THE BEDFORD COMMUNITY  
BY E. THOMAS MESSIER**

**WHEREAS**, certain citizens in communities make significant personal and professional contributions of their talents, time, leadership and energies to improving the quality of life for the enjoyment of all other citizens; and

**WHEREAS**, Bedford, Virginia has particularly been enriched and improved by the contributions of such citizens for many years; and

**WHEREAS**, Mr. E. Thomas Messier, who died at the age of 80 on August 3, 2016, exemplified the qualities of a strong community leader through his service in many capacities to the Town of Bedford, the County of Bedford and the Commonwealth of Virginia; and

**WHEREAS**, Mr. Messier was employed for twenty-one years at Doehla's, and accepted the position of General Manager at Southern

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Flavoring Company in 1974, at which time he moved his family to Bedford; and

**WHEREAS**, Mr. Messier served the City of Bedford with distinction as a member of City Council for 19 years and as Mayor for over 7 years, and was considered to be a gentleman of unique character and dignity with the strength and courage of his convictions. Many remember his deep commitment to the Office of Mayor and his openness to all citizens of the community and employees of the City. Mr. Messier left a legacy of professionalism and decorum as Mayor of the City of Bedford through his fair-mindedness and gentlemanly manner; and

**WHEREAS**, as a result of his particular talent in building bridges, the Town of Bedford has enjoyed mutually beneficial relations and prosperity with its neighbors and within the region, as well as gained recognition beyond its borders and internationally; and

**WHEREAS**, Mr. Messier expanded citizens' international awareness by his involvement in the Bedford International Alliance and International Twinning Relationships with eleven Omaha Beach villages in France, Woburn England and Ivybridge England; and

**WHEREAS**, Mayor Messier helped demonstrate to the Commonwealth of Virginia the benefits of regional cooperation through the historic Joint Revenue Sharing Agreement with Bedford County and through his leadership in the Region 2000 Regional Commission and in Region 2000 Workforce Investment Council; and

**WHEREAS**, Mr. Messier was a key player in the rebirth and revitalization of Centertown and the establishment of the Town of Bedford as one of the first five Main Street Cities in the Commonwealth of Virginia; and

**WHEREAS**, Mr. Messier has truly protected and served the families and youth of this community through his commitment to voluntarism and his participation in community groups dedicated to serving the less-fortunate citizens; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Town of Bedford, Virginia does hereby posthumously honor the significant contributions and achievements of E. Thomas Messier, in recognition of his lifelong service to the greater Bedford community and the Commonwealth of Virginia, and in recognition of the need for everyone to give of themselves in the manner set forth by this solid citizen and gentleman leader of Bedford, Virginia. This resolution upon its adoption shall be appropriately delivered to his beloved wife, Connie.

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The Mayor presented the resolution to Mrs. Messier.

Councilman Black, Chairman of the Electric Committee, reported that the committee met on September 13 and received an update on the solar project. The committee also discussed a small issue with the insurance claim on the speed increaser at the Hydro Plant. He said the committee also talked about the diesel generators.

Mayor Wandrei added the following item to the agenda: Duplex Units on Burks Hill Road, which was tabled at the last Council meeting.

A discussion ensued regarding the Town Manager's request to add a closed session for contract discussions for the peaking generator. Councilman Vest said he thought Council should talk about that in open session. Mr. Kolakowski said that part of it should be in closed session.

Mayor Wandrei said that no action would be taken in closed session and in deference to the Town Manager's comments, the item was added to the agenda as the item immediately before the agenda item "Discussion - Diesel Peaking Generator."

Mayor Wandrei added the following item to the agenda: Virginia Interfaith Center for Public Policy - Medicaid Funding

Bedford Main Street, Inc. is requesting that Council authorize blocking the following streets for "Centerfest" 2016 on Friday, October 7<sup>th</sup> from 5:00 p.m. to 9:00 p.m. and Saturday, October 8<sup>th</sup> from 5:00 a.m. until 6:15 p.m.

- East Main Street from Otey Street to Bridge Street
- West Main Street from Bridge Street to Ballard Street
- South Street from Main Street to Washington Street
- Court Street from Main to 150' past intersection with Plunkett Street
- South Bridge Street from Main to Washington
- North Bridge Street from Main to the parking lot just south of Railroad Bridge (at American National Bank)
- West Depot Street from North Bridge Street to Ballard Street, including Market Square and West Depot Parking
- Market Square and West Depot Parking (extended to 10:00 p.m. on Saturday for live music)
- East Depot Street to Court Street

In addition, they would like to request that Market Square and West Depot Parking be closed until 10:00 p.m. on Saturday to accommodate the live music. There isn't necessarily a need to keep the roads around Market Square and West Depot Parking closed during this extended time. Bedford Main Street, Inc. has current liability insurance and will provide the Town with a copy of the policy. Bedford Main Street will notify affected businesses, as well as the Police Department, Fire Department and Rescue Squad. The Town Manager said that Town Council was requested to grant permission to

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block the above streets for “Centerfest” 2016 on Friday, October 7<sup>th</sup> from 5:00 p.m. to 9:00 p.m. and Saturday, October 8<sup>th</sup> from 5:00 a.m. until 6:15 p.m. and Market Square and West Depot Parking be closed until 10:00 p.m. on Saturday to accommodate the live music.

On motion by Vice Mayor Rush, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the request of Bedford Main Street. Roll call vote follows:

Councilman Black	aye
Councilman Carson	absent
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Wandrei	aye

Mayor Wandrei explained that discussion has been before the General Assembly over the last year about whether or not Virginia should accept Medicaid funds. He said the resolution proposed by the Virginia Interfaith Center is that Town Council go on record approving or requesting that the General Assembly and the Governor of the Commonwealth of Virginia accept Medicaid funds and expand insurance companies pursuant to the provisions of the Affordable Care Act.

Councilman Hailey moved that the resolution proposed by the Virginia Interfaith Center be adopted. The motion died for lack of a second.

Bart Warner, Assistant Town Manager, said the next agenda item relates to the conditional use permit request to construct two duplex units on the vacant property on Burks Hill Road. Mr. Warner said that Council members had received a new site plan from the developer, R. M. Gantt, indicating their willingness to address the concerns related to rearward vehicle activity. Mr. Warner said they are willing to move the duplexes themselves back and look at the parking in such a way that any rearward vehicular activity would be contained completely on site and there would be no backing onto Burks Hill Road required.

Councilman Black moved that the item be taken off the table. The motion was seconded by Vice Mayor Rush, voted upon and carried by the following roll call vote:

Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	absent
Mayor Wandrei	aye

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On motion by Councilman Vest, seconded by Vice Mayor Rush, voted upon and carried by a roll call vote, Council approved a conditional use permit for construction of duplex homes on Tax Parcels, 233-2-1-T and 233-2-2-T in accordance with the revised site plan submitted by R.M. Gantt this evening. Roll call vote follows:

Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	absent
Councilman Hailey	aye
Mayor Wandrei	aye

Councilman Black moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(29) of the Code of Virginia of 1950, as amended, for discussion of the award of a public contract and the terms and scope of the contract where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Hailey seconded the motion. The motion was voted upon and carried by the following roll call vote:

Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	absent
Councilman Hailey	aye
Vice Mayor Rush	aye
Mayor Wandrei	aye

Council adjourned into closed session at 7:18 p.m. The following non-council members attended: Town Manager Kolakowski; Town Attorney W. W. Berry, IV; Assistant Town Manager Barrett Warner; Electric Director John Wagner; and Clerk of the Council Teresa W. Hatcher.

Council reconvened into open session at 7:28 p.m.

The Clerk of Council read aloud the following resolution:

**BE IT RESOLVED** that the Council of the Town of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

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On motion by Councilman Black, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Vest	aye
Councilman Black	aye
Councilman Carson	absent
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Mayor Wandrei	aye

Town Manager Kolakowski stated that the Town has received a number of proposals for the provision of peaking capacity. The electric staff has examined these proposals, the numbers have been put together, and a recommendation has been made as to a particular company which they are saying is the most advantageous for the Town. The Town Manager said there has been some discussion as to whether an outside review of these proposals is needed and that is where Council is at this point. Mr. Kolakowski said that verbal confirmation has been received that the time period can be extended for a limited time, but the Town needs to move expeditiously in reviewing and awarding this to have the equipment in place to provide the services.

Councilman Vest moved that Council hire PowerSecure to install the peaking generators at a price of \$1,595,624. The motion was seconded by Councilman Black.

Discussion ensued regarding the peaking generators. Mr. Wagner, Electric Director, answered questions from members of Council about the following: leasing the equipment; return on investment; remote start; cost difference between leasing and purchasing the equipment; funding the project; and the time frame.

Councilman Black moved to call for the question.

Roll call vote follows:

Councilman Black	aye
Councilman Carson	absent
Councilman Hailey	nay
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Wandrei	nay

Mayor Wandrei said the next item on the agenda was a closed session pursuant to Section 2.2-3711(a)(3) of the Code of Virginia of 1950, as amended for the acquisition or disposition of publicly held property. The Mayor said this item could be deferred.

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The Town Manager said he found out some information on that item and this can be on the agenda of the next meeting.

Councilman Hailey moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(5) of the Code of Virginia of 1950, as amended for discussion concerning a prospective industry where no previous announcement has been made. Councilman Black seconded the motion. The motion was voted upon and carried by the following roll call vote:

Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	absent
Mayor Wandrei	aye

Council adjourned into closed session at 7:53 p.m. The following non-council members attended: Town Manager Kolakowski, Town Attorney W. W. Berry, IV, Assistant Town Manager Barrett Warner, Elmer Hodge, George Aznavorian, and James Oliver.

Council reconvened into open session at 8:25 p.m.

The Clerk of Council read aloud the following resolution:

**BE IT RESOLVED** that the Council of the Town of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

On motion by Vice Mayor Rush, seconded by, Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	absent
Councilman Hailey	aye
Mayor Wandrei	aye

Mayor Wandrei adjourned the meeting at 8:26 p.m.